

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

SENCOR BRANDS, INC.

Plaintiff,

VS.

HITACHI KOKI U.S.A., LTD.,

Defendant.

CASE NO. 1-17-CV-00061

(Judge Timothy S. Black)

**REVISED MEMORANDUM IN
SUPPORT OF JOINT MOTION FOR
EXTENSION OF TIME TO
RESPOND TO COMPLAINT**

This is a patent infringement action in which Plaintiff, Senco Brands, Inc. (“Senco”) has alleged Hitachi Koki U.S.A., LTD. (“HKU”) has infringed certain of Senco’s patents. HKU denies the allegations, and the parties are currently exploring possible extra-judicial resolution of the matter. Pursuant to a stipulation filed on March 30, 2017, the time for HKU to move, answer, or otherwise respond to the Complaint was extended for twenty-one (21) days, up to and including April 24, 2017. Under S.D. Ohio Civ. R. 6.1 (a), further extension of that time period requires approval of the Court.

The parties have met to discuss possible resolution of this dispute but additional time is required to consider the issues pertaining to possible extra-judicial resolution of the dispute at this time. It is believed that the interests of justice, including the interests of the parties, and the interests the court in avoiding the expenditure of time and other resources that might prove to be unnecessary, will be advanced by extending the date for HKU to move, answer or otherwise respond to the Complaint for one additional month, up to and including May 24, 2017. The

parties so move. This motion is made without waiver of any party to raise any defense, counterclaim, reply or other assertion in future pleadings.

Respectfully submitted,

s/ John F. Marsh

John F. Marsh, Trial Attorney (0065345)
Bailey Cavalieri LLC
10 West Broad Street, Suite 2100
Columbus, OH 43215
Telephone: (614) 299-3230
Facsimile: (614) 221-0479
Email: jmarsh@baileycav.com

Robert S. Rigg
Timothy M. Nitsch
Vedder Price P.C.
222 N. LaSalle Street, Suite 2600
Chicago, IL 60601
Telephone: (312) 609-7500
Facsimile: (312) 609-5005
Email: rrigg@vedderprice.com
tnitsch@vedderprice.com

Attorneys for Plaintiff Senco Brands, Inc.

s/ James D. Liles

James D. Liles, Trial Attorney (0005547)
Porter Wright Morris & Arthur LLP
250 East Fifth Street, Suite 2200
Cincinnati, OH 45202
Telephone: (513) 369-4209
Facsimile: (513) 421-0991
Email: jliles@porterwright.com

Paul Devinsky, Esq.
McDermott, Will & Emery
500 North Capital Street, NW
Washington, DC 20001
Telephone: (202) 756-8369
Facsimile: (202) 756-8087
Email: pdevinsky@mwe.com

Joseph H. Paquin, Jr.
McDermott, Will & Emery
227 West Monroe Street
Chicago, IL 60606-5096
Telephone: (312) 984-7679
Facsimile: (312) 984-7700
Email: jpaquin@mwe.com

Amol A. Parikh
McDermott, Will & Emery
227 West Monroe Street
Chicago, IL 60606-5096
Telephone: (312) 984-6477
Facsimile: (312) 984-7700
Email: amparikh@mwe.com

Attorneys for Hitachi Koki U.S.A., Ltd.

CERTIFICATE OF SERVICE

I hereby certify that on April 20, 2017, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

s/ James D. Liles
James D. Liles